

## REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1, 3-5 and 7-18.

Claims 7-12 have been withdrawn from consideration.

The indication that claim 4 would be allowable is acknowledged with appreciation, however, for reasons set forth below, it is considered that all the claims under examination are now in condition for allowance.

Claims 1, 3, 5, 13-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto (U.S. 4,460,637).

This rejection is respectfully traversed.

The present claims require that a peak on a pore diameter distribution curve of the recording layers lies in a pore diameter only (emphasis) in the range of 2 nm to 100 nm.

The term "only" means that there are no other peaks in a pore diameter distribution curve outside the range of 2 nm to 100 nm. Nevertheless, the Official Action states that Miyamoto discloses an ink-receptive layer having peaks (emphasis) lying in the range of 400 - 20,000 nm and at 100 and that Applicants' claim language does not prohibit the existence of other peaks from existing on the pore distribution diameter curve outside the range of 2-100 nm.

In fact, there can be more than one peak, but it must lie within the range of 2 - 100 nm or else the term "only" is meaningless. However, if the Examiner has any alternative language to express this concept, e.g. "There are no other peaks outside the range from 2 to 100 nm", Applicants would be pleased to consider it.

Moreover, such feature as presently recited produces unexpected properties, as will be discussed below.

Due to the fact that the peak exists only in the range of from 2 nm to 100 nm, the recording layer exhibits a high transparency, the density of printed letters becomes high, and the gloss at the printed area also becomes high. See page 15, line 13 to page 16, line 2 of the present specification.

In cases where there is another peak in the region exceeding 100 nm, the recording layer exhibits a low transparency, the density of printed letters becomes low, and the gloss at the printed area also becomes low. See page 19, lines 8 to 11 of the present specification.

Accordingly, it is necessary that the peak lie only in the range of from 2 to 100 nm.

Miyamoto relates to a technique in which the existence of two peaks is essential, one lying between 0.2 and 10 nm in radius (0.4 to 20 nm in diameter) and the other being at 0.05 nm or less in radius (0.1 nm or less in diameter). This technique requires a peak of large diameter range of from 0.4 to 20 nm. However, when such a peak exists, the recording layer loses transparency, and the density of printed letters and the gloss at the printed area both decrease, as discussed above.

In Miyamoto, there is no disclosure or suggestion of enhancing the gloss in the printed area.

Incidentally, to achieve a single peak only in the range of from 2 to 100 nm in the present invention, a pigment in a colloidal state is used (one example of such pigment is colloidal silica). In terms of particle diameter, pigment particles have a diameter of about 10 to 300 nm.

However, depending on the coating condition, a peak sometimes appears in the range exceeding 100 nm even when particles of 10 to 300 nm particle diameter are used. In particular, when cracks are formed in the coated layer, a peak appears in a large diameter region in some cases.

Since Miyamoto does not suggest uses of aggregated particles of  $1\mu\text{m}$  to  $50\mu\text{m}$  in size, his technique is unsuggestive of the present invention using colloidal particles.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto, as applied to claims 1, 3, 5, 13, 15, 16 and 18, above, in further view of either Hosoi (U.S. 5,541,002) or Abe (U.S. 5,372,884).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto, as applied to claims 1, 3, 5, 13, 15, 16 and 18, above, as further evidenced by the Snowtex Product Information.

These rejections are also respectfully traversed.

Regarding these remaining rejections, the primary and secondary references neither disclose the peak defined by the present claims nor suggest any effect caused by such peak definition.

While the Official Action maintains that a *prima facie* case has been established, the rejection does not take into account the clear and unequivocal statement of improved properties as set forth on pages 15, 16 and 19 of the present specification.

Thus, to the extent that a *prima facie* case of obviousness has been presented, it has been overcome by the foregoing remarks.

For the foregoing reasons, it is considered that the rejections on prior art are untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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